

Re: CG Docket No. 10-213

Dear FCC,

I am requesting that FCC deny the request from the Coalition of E-Reader Manufacturers (the Coalition) seeking a waiver of the Commission's rules requiring equipment used for advanced communications services (ACS) to be accessible to and usable by individuals with disabilities. These companies are missing the point of the changes to the Telecommunications Act of 1996, which is to make all digital content available to those with disabilities. The devices they produce consist entirely of "digital content" and they should be required to become compliant. A serious problem with some of these devices is that they lack an accessible text-to-speech function. E-readers are a great way to expand knowledge available to people with disabilities by making digital content available.

Schools across the nation are using more e-readers in the classroom setting. A Pew Research Center report of 2,462 Advanced Placement (AP) and National Writing Project (NWP) teachers finds that digital technologies have helped them in teaching their middle school and high school students in many ways, "digital technologies have become central to their teaching and professionalization¹." 45% report they or their students use e-readers and 43% use tablet computers in the classroom or to complete assignments.

Schools and community colleges must comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) when introducing any emerging technology, including e-book readers, into classrooms. Making e-readers accessible greatly expands the amount of information available to those with disabilities and is the right thing to do. I believe if e-readers had considered accessibility in their initial designs it would have been much simpler to reach compliance; it is their own design process which has created this issue, not compliance to the law.

Three year ago, the U.S. Departments of Education (DOE) and Justice (DOJ) issued a letter to colleges and universities that sums up the issue of compliance as follows: "Requiring use of an emerging technology in a classroom environment when the technology is inaccessible to an entire population of individuals with disabilities—individuals with visual disabilities—is discrimination prohibited by the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) unless those individuals are provided accommodations or modifications that permit them to receive all the educational benefits provided by the technology in an equally effective and equally integrated manner²." Requiring e-reader equipment to comply with ACS would alleviate an undue burden on schools to pour limited resources into compliance mechanisms to make e-readers accessible for the benefit of equal access and opportunity to education for all.

Again, please deny the Coalition seeking a waiver of the Commission's rules requiring equipment used for advanced communications services (ACS) to be accessible to and usable by individuals with. Companies must consider disability issues at the beginning of the development and design process, and on an ongoing basis.

Sincerely,

Steven A. Rodriguez

¹ How Teachers Are Using Technology at Home and in Their Classrooms, Pew Research Center's Internet & American Life Project (February 2013), <http://www.pewinternet.org/Reports/2013/Teachers-and-technology.aspx>

² Letter To Colleagues, U.S. Department of Justice (June 2010), http://www.ada.gov/kindle_ltr_eddoj.htm